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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 002007

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DEPT FOR EAP, EAP/MTS, EAP/RSP, G/TIP

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TAGS: [PHUM](#) [ELAB](#) [KWMN](#) [PREL](#) [ID](#) [MY](#)

SUBJECT: TIP REPORT'S POSITIVE IMPACT

REF: A. JAKARTA 01655

[B](#). JAKARTA 01056

[C](#). JAKARTA 00701

Classified By: Joesph L. Novak, Counselor for Political Affairs, for reasons 1.4 (b) and (d).

[1](#)1. (U) Embassy Kuala Lumpur contributed to this message.

[1](#)2. (SBU) SUMMARY: The Department's 2007 Trafficking in Persons (TIP) Report has prompted a positive reaction in Indonesia. Local governments have expressed greater willingness to improve protections for migrant workers. The GOI is also pushing to revise key sections of its MOU with Malaysia re such workers, resulting in a recent meeting in Surabaya. END SUMMARY.

[1](#)3. (SBU) REACTION TO TIP REPORT: In a June 25 meeting with DCM, Wahyu Susilo of Migrant CARE described two positive developments that resulted from the June 12 release of the Department's Trafficking in Persons Report, which noted Indonesia's progress in countering trafficking as it moved from a &Tier 2 Watch List& to &Tier 2& status. The first was that local governments in Indonesia have expressed greater willingness to improve protection for migrant workers and have increasingly called on Migrant Care for technical advice to enhance protections against trafficking.

[1](#)4. (SBU) The other result was the GOI's interest in renegotiating the terms of its bilateral MOU with Malaysia on migrant workers. The TIP report criticized the MOU, which was signed in Bali on May 13, 2006, for failing to protect the basic rights of Indonesian workers in Malaysia, including by not providing them the right to control their own passports and the freedom to return home at will.

[1](#)5. (SBU) GOI) GOM MEETING: To address the MOU's shortcomings, the GOI, led by Director General of Overseas Employment Services in the Ministry of Manpower Jumhur Hidayat met with representatives of the GOM on June 28 in Surabaya. The GOI pressed the GOM to amend the MOU to allow: Indonesian workers to maintain control of their passports; the children of migrant workers to attend Malaysian schools; and one weekly day off, GOI officials told us. According to representatives from Migrant CARE, who observed the proceedings and provided us with a read-out, the Malaysian delegation led by Home Affairs Secretary General Aseh Che Mat was unwilling to compromise, particularly on the passport issue. While the meeting failed to yield the desired results, Aseh promised that the Nirmala Bonat case, which has been ongoing for three years, would be resolved shortly. (NOTE: Nirmala Bonat was an Indonesian maid working in Malaysia who was abused by her employers. The case became a cause celebre in Indonesia. END NOTE). Migrant CARE

continues to press for additional meetings between the GOI and GOM.

¶6. (C) NOTE: During a July 3 meeting, Embassy Kuala Lumpur raised the Malaysia-Indonesia MOU and its passport control clause with Aseh and his Director General for Immigration Wahid bin Md. Don, with Embassy noting the concern that this clause contributes to trafficking. Wahid stated that during the Surabaya meeting the GOI had not made a formal request to change the passport clause, but instead this had come from NGOs present during the discussion. A senior Indonesian diplomat in Kuala Lumpur told Embassy Kuala Lumpur July 21 that Indonesia's "human rights approach" during the Surabaya meeting had taken the Malaysian delegation by surprise as the Malaysians had come prepared only to address cost structure issues in the migrant worker system. According to this diplomat, Indonesia's future approach would examine the option of GOM-issued workers' permits or other identification that Indonesian workers would carry in Malaysia, in lieu of their passports which would remain with employers. END NOTE.

¶7. (C) Dr. Endang Sulistyaningsih, Director of Promotion for Overseas Employment at the newly-created GOI National Board for Placement and Protection of Overseas Workers, told us that the GOI and GOM had reached an impasse on the MOU issue and that no further meetings are scheduled. She personally believes that the GOM will be unwilling to amend the MOU until the Malaysian Parliament amends the country's domestic law on foreign workers. She noted, however, that Indonesian President Yudhoyono asked the GOM to amend the law during his June visit to Kuala Lumpur. (NOTE: Embassy Kuala Lumpur has not been able to verify Endang's information. One or two MPs may have raised the issue, but we do not believe the government has introduced a bill to this effect. Under Malaysia's system, the executive rather than MPs originate

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bills. MPs debate -- and ultimately pass -- the bills that are handed to them by the Prime Minister. END NOTE.)

¶8. (U) A TIP HERO: DCM congratulated Susilo, one of TIP report's 2007 "Heroes," on his extraordinary accomplishments in improving the lives of Indonesian migrant workers. Susilo said he was excited to receive the honor and thanked the USG for its anti-trafficking programs in Indonesia. Having participated in an International Criminal Investigative Training Assistance Program (ICITAP) course with the Indonesian National Police (INP), Susilo said he knew first-hand that USG programs have greatly increased the ability of the INP to fight trafficking in persons, he said. Susilo noted that continued USG assistance to Indonesia is essential to continuing progress in trafficking in persons and migrant worker rights. He believes that the USG must continue to encourage the GOI to implement its new anti-trafficking law and continue its anti-trafficking training programs for the INP as well as other law enforcement officials, such as prosecutors and judges. HUME